IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

Crl.MC.No. 232 of 2007()

AGAINST THE JUDGEMENT/ORDER IN CRLP.177/2006 Dated 18/01/2006

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PETITIONER: ACCUSED:

V. KUNHABDULLA MASTER,
S/O.MAMMAD, VYSAMBATH VEEDU,
PANOOR P.O., KANNUR DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY P.P. SRI.GIKKU JACOB.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 31/01/2007 ALONG WITH CRL.M.C.NO.238/06, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

CRL.M.C.NOs. 232 & 238 OF 2007

Dated this the 31st day of January, 2007

ORDER

In the light of the decision reported in **Girish v. Muthoot Capital Service (P) Ltd.** (2007 (1) KLT 16), I am of opinion that no further directions are necessary in favour of the common petitioner who has been sentenced to undergo imprisonment till rising of court and to pay compensation along with the default sentence in two separate prosecutions under Sec.138 of the N.I. Act. If the petitioner surrenders before the learned Magistrate and deposits/pays the compensation amount as directed, there can be no question of any default sentence being executed against him. In the light of **Girish v. Muthoot Capital Service (P) Ltd.,** (2007 (1) KLT 16), no further directions appear to be necessary.

2. These Crl.M.Cs. are, in these circumstances, dismissed.

Sd/-

(R. BASANT, JUDGE)

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//true copy// P.S. To Judge